

Appl. No.: 10/004,815
Amdt. Dated 04/19/2007
Reply to Office Action of 01/19/2007

REMARKS

This amendment is submitted in reply to the Office Action dated January 19, 2007. Claims 1, 6-8, 11, 12, 14-17, 19-26 currently stand rejected. Applicant gratefully acknowledges the Examiner's indication that claim 13 is allowed. Applicant has amended independent claims 1, 12, 14, 16 and 19-26 to more particularly distinguish the claimed invention from the cited references. No new matter has been added by the amendment.

In light of the amendment and the remarks presented below, Applicant respectfully requests reconsideration and allowance of all now-pending claims of the present application.

Claim Rejections - 35 USC §103

Claims 1, 6, 11, 12, 14-17, 19-23, 25 and 26 currently stand rejected under 35 U.S.C. §103(a) as being unpatentable over Helm (U.S. Patent No. 5,835,388) in view of Acevedo (U.S. Patent No. 5,818,361). Claim 7 currently stands rejected under 35 U.S.C. §103(a) as being unpatentable over Helm in view of Acevedo and further in view of Nomura et al. (U.S. Patent No. 6,700,508, hereinafter "Nomura"). Claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Helm in view of Acevedo and further in view of Takala et al. (U.S. Patent No. 6,788,294, hereinafter "Takala"). Claim 24 currently stands rejected under 35 U.S.C. §103(a) as being unpatentable over Helm in view of Acevedo and further in view of Schmucker (U.S. Patent No. 5,283,401).

Applicant previously amended independent claims 1, 12, 14, 16 and 19-26 to recite, *inter alia*, that the intra-changeable elements are configured to provide an output responsive to messages received at the communication unit. Applicant has further amended, for example, independent claim 1 to clarify that the messages are generated external to the communication unit, a feature which Applicant respectfully submits is not taught or suggested by the cited references.

The Office Action admits that Helm fails to teach or suggest the previously recited feature and therefore cites Acevedo as curing the deficiency of Helm. In this regard, the Office Action states that Helm discloses a laptop having a display and a keyboard, which the Office Action asserts corresponds to the claimed "communication unit including a display, a user

interface separate from the display". The Office Action then asserts that Acevedo includes a keyboard (corresponding to the claimed user interface) having display keys that correspond to the claimed intra-changeable elements. The display keys of Acevedo, as described at col. 4, lines 14-18 and 26-32, depict data relevant to the function of the key during a current software application or otherwise differentiate between keys having different functions in different applications. The keyboard of Acevedo is connected to a conventional computer having standard keyboard control circuitry as described at col. 4, lines 25-27. The Examiner has suggested in both the Office Action, and the telephone interview of February 9, 2007, that the keyboard of Acevedo receives "messages as to which application is selected and running in order to change the color of the keys in the user interface, accordingly." As such, the Examiner asserts essentially that the keyboard of Acevedo receives "messages" from the conventional computer to which the keyboard is attached, and such messages meet the claimed recitation. Applicant respectfully disagrees with this assertion. Furthermore, Applicant respectfully submits that, in light of the present amendments and the correspondences drawn by the Examiner with respect to Helm, the combination of Acevedo with Helm results in a device that does not meet the claimed invention.

As an initial matter, Applicant again respectfully notes that the keyboard of Acevedo is not a communication unit (or device) as contemplated by the claimed invention. In this regard, Applicant respectfully submits that a keyboard is well known to be merely a user interface and not a communication unit. Moreover, the Office Action clearly admits that the keyboard of Acevedo is a user interface. Acevedo is directed to a keyboard in which LCD or LED displays provide the user with indicia of the function of each key on the keyboard. A physical characteristic of each key (i.e., appearance, color, character displayed, etc.) may be changed to correspond to the current application (col. 4, lines 1-24). However, from the perspective of the computer of which the keyboard is the user interface, Acevedo discloses only that the keys having such characteristics may produce an output responsive to "messages" generated internal to the computer. In this regard, the keys indicate a function associated with the key if the key should be pressed in dependence of the current application. For example, the keys include

indicia that may indicate what function each key will have if pressed while playing a particular game. Alternatively, the keys may indicate corresponding foreign alphabet symbols.

Thus, if, as the Examiner has asserted in the telephone interview and the Office Action, the communication unit of the claimed invention corresponds to the laptop computer of Helm, the claimed communication unit must also correspond to the computer including the keyboard disclosed in Acevedo. As such, since the keyboard of Acevedo only provides an output responsive to "messages" generated internal to the computer, the combination of Helm and Acevedo fails to teach or suggest the intra-changeable elements are configured to provide an output responsive to messages generated external to the communication unit and received at the communication unit as recited in independent claim 1.

In other words, the claimed invention contemplates use of the intra-changeable elements as both input and output devices. However, there is no indication from Acevedo that key characteristics are changed responsive to messages generated external to the computer and received at the computer. Thus, the keyboard of Acevedo is not an output device responsive to messages received at the computer to which the keyboard is connected, but instead any messages to which the keyboard of Acevedo provides a responsive output are internally generated. Accordingly Acevedo fails to teach or suggest that the intra-changeable elements are configured to provide an output responsive to messages generated external to the communication unit and received at the communication unit as claimed. The deficiency of Acevedo in this regard is particularly clear in light of the fact that the keyboard of Acevedo cannot correspond to both the communication unit and the user interface of the claimed invention. It is at the communication unit that the messages responsive to which output is provided are received according to the claimed invention. Furthermore, such messages are generated external to the communication unit. Helm fails to teach or suggest such feature by admission and Acevedo fails to teach or suggest such feature as demonstrated above. Accordingly, independent claim 1 is patentable over Helm and Acevedo either alone or in combination as described above. Independent claims 12, 14, 16 and 19-26 have been similarly amended.

Nomura, Takala and Schmucker also fail to teach or suggest that the intra-changeable elements are configured to provide an output responsive to messages generated external to the

communication unit and received at said communication unit and are not cited as such. Since none of the cited references alone teach or suggest that the intra-changeable elements are configured to provide an output responsive to messages generated external to the communication unit and received at said communication unit (or device) as claimed in independent claims 1, 12, 14, 16 and 19-26, any combination of the cited references likewise fails to render independent claims 1, 12, 14, 16 and 19-26 obvious for at least the same reasons described above. Claims 6-8, 11, 15 and 17 depend either directly or indirectly from corresponding ones of independent claims 1, 14 and 16, and thus include all the recitations of their corresponding independent claims. Therefore, dependent claims 6-8, 11, 15 and 17 are patentable for at least those reasons given above for independent claims 1, 14 and 16.

Accordingly, Applicant respectfully submits that the rejections of claims 1, 6-8, 11, 14-17 and 19-26 are overcome.

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CONCLUSION

In view of the amendment and remarks submitted above, it is respectfully submitted that the present claims are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present invention.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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